



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 7**

11201 Renner Boulevard
Lenexa, Kansas 66219

AUG 22 2016

Mr. Jamie Chinana
Utility Commission
Santee Sioux Nation of Nebraska
425 Frazier Street
Niobrara, Nebraska 68760

RE: Santee Sioux Tribal Public Water System
EPA ID: 070000004

NOTICE OF VIOLATION

Dear Mr. Chinana:

The U.S. Environmental Protection Agency, Region 7 recognizes the Santee Sioux Tribe Public Water System as a Community Water System, as defined by the Safe Drinking Water Act 40 CFR § 141.2. The purpose of this Notice of Violation of the SDWA is described below.

Violation: Failure to Collect Routine Total Coliform samples at Appropriate Site

The Revised Total Coliform Rule became effective April 1, 2016, and requires that PWSs develop a written sample siting plan that identifies sampling sites and a sample collection schedule that are representative of water throughout the distribution system (40 CFR § 141.853(a)(1)). The written sample siting plan was to be submitted no later than March 31, 2016, and total coliform samples must be collected according to the written sample siting plan. The Santee Sioux Tribe PWS submitted a RTCR sample siting plan prior to the deadline and the EPA reviewed and accepted its Plan on March 4, 2016.

The EPA records indicate that the Santee Sioux Tribe PWS performed the required monthly total coliform sampling in the month of June and July 2016, but failed to take all of the samples in accordance with the written sample site plan submitted and accepted by the EPA. The result is a monitoring violation for both of the months of June 2016 and July 2016 for the failure to take the sample in accordance with the sample site plan.

The Santee Sioux Tribe PWS completed routine monthly sampling on August 10, 2016, in accordance with the accepted RTCR sample siting plan and those samples were absent for Total Coliform. The subsequent sampling resolves the violations but public notification will be required. You should continue collecting monthly samples according to the accepted sample siting plan.

Public Notification

Community Water Systems are required to provide public notice of monitoring violations pursuant to 40



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CFR § 141.204 no later than one year after the PWS learns of the violation. Instead of an individual public notice, a PWS may publish this type of violation in its annual Consumer Confidence Report detailing all violations, as long as it is within one year of the monitoring violation.

If you have questions on this letter, please contact Kimberly Burr at willis-burr.kimberly@epa.gov or by telephone at (913) 551-7069.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen A. Flournoy', with a stylized flourish at the end.

Karen A. Flournoy
Director
Water, Wetlands and Pesticides Division

cc: Roger Trudell, Chairman
Marian Brandt, Operator
Seymour Brandt, Operator
Denny Haag, Indian Health Service